

IN THE CIRCUIT COURT OF HARRISON COUNTY, MISSISSIPPI
SECOND JUDICIAL DISTRICT

ASHLEY DENISE HALE

PLAINTIFF

VS.

CIVIL ACTION NO.:

A24022200119

ANCELMO INEZ GALINDO, INDIVIDUALLY
AND AS AN EMPLOYEE AND AGENT OF
GREAT LAKES DREDGE & DOCK COMPANY,
LLC, d/b/a GREAT LAKES DREDGING, LCC;
GREAT LAKES DREDGE & DOCK COMPANY,
d/b/a GREAT LAKES DREDGING, LCC;
AND JOHN DOES #1-10

FILED
JUN - 7 2022

By CONNIE LADNER
CIRCUIT CLERK
Connie Ladner

DEFENDANTS

COMPLAINT WITH DISCOVERY ATTACHED
JURY TRIAL REQUESTED

COMES NOW, Ashley Denise Hale, by and through counsel, and files this her Complaint with Discovery attached, and would show unto this Court the following, to-wit:

PARTIES

1.

Plaintiff, Ashley Denise Hale is an adult resident citizen of Leon County, Florida.

2.

Defendant Ancelmo Inez Galindo is an adult resident of Wise County, Texas and may be served with process at his personal residence at 4441 FM 1810, Chico, Wise County, Texas 76431. At all relevant times, Defendant Galindo owned, managed, leased, operated, supervised, maintained, trained, was responsible for, and obtained financial benefit from the subject vehicle doing business in Mississippi. Defendant Galindo is being sued individually and as the employee and/or agent of Defendant Great Lakes Dredge & Dock Company, LLC, d/b/a Great Lakes

Exhibit 1

Dredging, LLC. Defendant Galindo was in the course and scope of his employment with the Defendant at the time of the subject collision.

3.

Defendant Great Lakes Dredge & Dock Company, LLC, *d/b/a* Great Lakes Dredging, LLC (“Great Lakes”) is a limited liability company doing business in Mississippi. Defendant Great Lakes has its principal place of business at 9811 Katy Freeway, Suite 1200, Houston, Texas 77024, and may be served by and through service upon its registered agent for service, CT Corporation System of Mississippi located at 645 Lakeland East, Suite 101, Flowood, Mississippi 39232. At all relevant times, Defendant Great Lakes owned, managed, leased, operated, supervised, maintained, trained, was responsible for, and obtained financial benefit from the subject vehicle doing business in Mississippi. At all relevant times, Ancelmo Inez Galindo was acting in the course and scope of his employment for Defendant Great Lakes hired, trained, managed, supervised, entrusted, and employed Galindo. Thus, Defendant Great Lakes is liable for the acts or omissions of Ancelmo Inez Galindo under the theory of *respondeat superior* and is liable for the injuries of Plaintiff.

4.

Defendants, John Does #1-10, include those persons or entities unknown to the Plaintiff at this time that were involved in driving, operation, the control, ownership, management, leasing, operation, supervision, maintenance, training, inspection, repair, were responsible for, and obtained financial benefit from the Defendants and the subject vehicle’s operation in Mississippi and for the persons or entities involved and/or designed and manufactured the subject vehicle. Upon information and belief, John Does #1-10 are resident and nonresident Defendants doing business in the State of Mississippi whose identities are unknown. Filing this Complaint is a filing

against all John Doe Defendants and this Complaint will be appropriately amended under the Mississippi Rules of Civil Procedure when the identities are ascertained.

JURISDICTION AND VENUE

5.

This Court has jurisdiction over this matter under the Mississippi Constitution and the laws of the State of Mississippi. Venue is proper in Second Judicial District of Harrison County, Mississippi, as the incident in whole or part occurred in the Second Judicial District of Harrison County, Mississippi.

FACTS

6.

On November 3, 2020, Plaintiff Ashley Denise Hale was operating her vehicle southbound on Caillavet Street in Biloxi, Harrison County, Mississippi, at or near the intersection of Caillavet Street and Bayview Avenue. At that same time, Defendant Ancelmo Inez Galindo was operating his vehicle westbound on Bayview Avenue. The intersection of Caillavet Street and Bayview Avenue is controlled by a traffic control signal.

7.

Plaintiff Ashley Denise Hale proceeded through a green light at the intersection of Caillavet Street and Bayview Avenue. Then, suddenly and without warning, Defendant Ancelmo Inez Galindo ran a red light and crashed his vehicle into Plaintiff's vehicle.

8.

Defendant Ancelmo Inez Galindo operated his vehicle in a negligent manner which caused him to collide with Plaintiff's vehicle, thereby causing Plaintiff's injuries and damages.

9.

Plaintiff Ashley Denise Hale operated her vehicle in a lawful and prudent manner at the time of the collision and was not negligent in the operation of her vehicle.

10.

The collision and resulting damages to Plaintiff were directly and proximately caused by the negligence of Defendant Ancelmo Inez Galindo, in the following ways:

- (a.) Failing to obey the traffic signs;
- (b.) Failing to keep his vehicle under reasonable and proper control;
- (c.) Failing to keep a reasonable and proper lookout as he operated his vehicle;
- (d.) Failing to yield the right of way;
- (e.) Failing to obey traffic signals;
- (f.) Failing to abide by the Rules of the Road;
- (g.) Operating his vehicle in a careless and negligent manner;
- (h.) Failing to give adequate warnings of a collision;
- (i.) Causing his vehicle to collide into the Plaintiff;
- (j.) Speeding or travelling at a speed unreasonable for the existing conditions; and/or,
- (k.) Any other acts of negligence to be shown at the trial of this matter.

DAMAGES

11.

Based on the foregoing, Plaintiff requests an award of damages including but not limited to the following:

- (a.) Past, present, and future pain and suffering and resulting emotional distress and mental anguish;

- (b.) Past, present, and future loss of wages or wage earning capacity;
- (c.) Past medical expenses;
- (d.) Future medical expenses;
- (e.) Property damage;
- (f.) Pre-judgment interest;
- (g.) Post-judgment interest;
- (h.) Loss of household services;
- (i.) All costs of court; and
- (j.) All other damages recoverable under Mississippi law to be shown at the trial of this matter.

WHEREFORE PREMISES CONSIDERED, Plaintiff Ashley Denise Hale demands judgment against Defendants in an amount in excess of the jurisdictional minimum of this court and to be determined by a jury to adequately compensate the plaintiff for her injuries; pre-judgment and post-judgment interest; her costs in pursuing this lawsuit; and any other relief to which she may be entitled under Mississippi Law.

This the 3rd day of June, 2022.

PLAINTIFF,

BY: 
ROCKY WILKINS

ROCKY WILKINS, ESQ. (MSB #99707)
MORGAN & MORGAN, PLLC
4450 OLD CANTON ROAD, SUITE 200
JACKSON, MISSISSIPPI 39211
TELEPHONE: (601) 949-3388
FACSIMILE: (601) 949-3399
EMAIL: ROCKY@FORTHEPEOPLE.COM